

HOUSE JOURNAL

SEVENTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

TWENTY-EIGHTH DAY — WEDNESDAY, MARCH 5, 2003

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 36).

Present — Mr. Speaker; Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Rangel; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Absent, Excused — Madden.

Absent — Hopson; Menendez.

The invocation was offered by Reverend Jackie English, pastor, Christ Redeemer Fellowship, Granite Shoals, as follows:

Most gracious Heavenly Father, I ask today that you would make us as wise in our deliberations as we can be, as courageous in our decisions as we must be, and as gracious in our dealings with each other as we ought to be, so that we can fulfill all that you have called us to be in our service to you and to the citizens of this great State of Texas.

And I ask this in your name, the name above all names. Amen.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for today because of a death in the family:

Madden on motion of E. Jones.

CAPITOL PHYSICIAN

The speaker recognized Representative B. Keffer who presented Dr. John Richmond of Dallas as the "Doctor for the Day."

The house welcomed Dr. Richmond and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

CAPITOL OPTOMETRIST

The speaker recognized Representative Driver who presented Dr. Robert Day, Jr. of Garland as the "Optometrist for the Day."

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

HCR 76 - ADOPTED (by Garza)

Representative Garza moved to suspend all necessary rules to take up and consider at this time **HCR 76**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 76, Recognizing March 5, 2003, as Eagle Pass Day at the State Capitol.

HCR 76 was read and was adopted without objection.

On motion of Representative Gallego, the names of all the members of the house were added to **HCR 76** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Garza who introduced a delegation from Eagle Pass.

HR 385 - ADOPTED (by Garza)

Representative Garza moved to suspend all necessary rules to take up and consider at this time **HR 385**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 385, Honoring Rodolfo "Fito" Barrera of Eagle Pass on his civic contributions.

HR 385 was read and was adopted without objection.

On motion of Representative Gallego, the names of all the members of the house were added to **HR 385** as signers thereof.

INTRODUCTION OF GUEST

The speaker recognized Representative Garza who introduced Rodolfo "Fito" Barrera of Eagle Pass.

HR 386 - ADOPTED (by Garza)

Representative Garza moved to suspend all necessary rules to take up and consider at this time **HR 386**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 386, Honoring the staffs of the Texas Association of Community Health Centers and its member clinics for their exceptional service to their fellow Texans.

HR 386 was adopted without objection.

(Speaker pro tempore in the chair)

HR 375 - ADOPTED (by Capelo)

Representative Capelo moved to suspend all necessary rules to take up and consider at this time **HR 375**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 375, Recognizing March 4 and 5 as Nurse Days at the State Capitol.

HR 375 was read and was adopted without objection.

HCR 61 - ADOPTED (by Pitts)

Representative Pitts moved to suspend all necessary rules to take up and consider at this time **HCR 61**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 61, Recognizing 2003 as the sesquicentennial year for Hill County and the City of Hillsboro.

HCR 61 was read and was adopted without objection.

On motion of Representative West, the names of all the members of the house were added to **HCR 61** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Pitts who introduced a delegation from Hill County and the City of Hillsboro.

HR 91 - ADOPTED
(by Wilson and Keel)

Representative Wilson moved to suspend all necessary rules to take up and consider at this time **HR 91**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 91, Extending to Joe M. Allbaugh an invitation to speak to the members of the Texas House of Representatives.

HR 91 was adopted without objection.

HR 282 - ADOPTED
(by Goodman)

Representative Goodman moved to suspend all necessary rules to take up and consider at this time **HR 282**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 282, Honoring Jerry M. Wood of Tarrant County on his retirement.
(Hopson now present)

HR 282 was read and was adopted without objection.

HR 255 - ADOPTED
(by Delisi)

Representative Delisi moved to suspend all necessary rules to take up and consider at this time **HR 255**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 255, Congratulating the Temple College women's tennis team on winning the 2002 National Junior College Athletic Association Division II championship.

HR 255 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The chair recognized Representative Delisi who introduced members of the Temple College women's tennis team, winners of the 2002 National Junior College Athletic Association Division II championship.

HCR 77 - ADOPTED
(by Merritt)

Representative Merritt moved to suspend all necessary rules to take up and consider at this time **HCR 77**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 77, Honoring the Longview Partnership's Leadership Tomorrow program.

HCR 77 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The chair recognized Representative Morrison who introduced a delegation from Victoria.

FIVE DAY POSTING RULE SUSPENDED

Representative Hamric moved to suspend the five day posting rule to allow the Committee on Administration to consider **HR 332**.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

House Administration, upon adjournment today, JHR 110, for a public hearing, to consider **HR 332**.

Environmental Regulation, upon adjournment today, Representative Bonnen's Desk, for a formal meeting, to consider **HB 43**, **HB 44**, and **HB 555**.

County Affairs, upon adjournment today, E2.016, for a public hearing, to complete today's posted agenda.

Ways and Means, upon adjournment today, E2.010, for a public hearing, to consider invited testimony from the Lottery Commission regarding the state of the lottery in Texas.

PROVIDING FOR ADJOURNMENT

Representative Marchant moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

The motion prevailed without objection.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES CORRECTIONS IN REFERRAL

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List Nos. 1 and 2.)

(Speaker in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 11:17 a.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 1400 (By Kuempel), Relating to certain exemptions from requirements applicable to local permits.

To Land and Resource Management.

HB 1401 (By Goolsby), Relating to the implementation of Amber Alert or another system for publicly disseminating emergency information about abducted children by the Texas Lottery Commission.

To Licensing and Administrative Procedures.

HB 1402 (By West), Relating to oil spill prevention and response.

To Energy Resources.

HB 1403 (By West), Relating to the regulation of barbers and cosmetologists by the Texas Commission on Barbering and Cosmetology and the abolition of the State Board of Barber Examiners and the Texas Cosmetology Commission.

To Government Reform.

HB 1405 (By Baxter), Relating to returning a public school teacher to probationary contract status.

To Public Education.

HB 1406 (By B. Brown), Relating to a recommendation by a school district employee concerning a use of a psychotropic drug by a student or psychiatric evaluation or examination of a student and to refusal by a parent or certain other person to consent to administration of a psychotropic drug to a student or to psychiatric evaluation or examination of a student.

To Public Education.

HB 1407 (By Hupp), Relating to the exhibition of amusement redemption machines by certain nonprofit organizations and others where approved by local option.

To Licensing and Administrative Procedures.

HB 1408 (By Flores), Relating to the regulation of the practice of construction/program management.

To Licensing and Administrative Procedures.

HB 1409 (By Hardcastle), Relating to the state textbook depository and distribution and handling of textbooks.

To Government Reform.

HB 1410 (By Christian), Relating to a penalty assessed against a small county for a violation of an environmental law or regulation.

To Environmental Regulation.

HB 1411 (By Christian), Relating to the disposition of a penalty imposed on a county by the Texas Commission on Environmental Quality.

To Environmental Regulation.

HB 1412 (By Christian), Relating to procedures for establishing a public appointment list of attorneys from which to appoint counsel for indigent defendants.

To Criminal Jurisprudence.

HB 1413 (By Christian), Relating to the waiver of the 72-hour waiting period for a marriage ceremony.

To Juvenile Justice and Family Issues.

HB 1414 (By Christian), Relating to commercial fishing of catfish in Toledo Bend Reservoir.

To State Cultural and Recreational Resources.

HB 1415 (By Christian), Relating to an accreditation program for child-care facilities and child-placing agencies as an alternative to state licensure; providing a penalty.

To Human Services.

HB 1416 (By Christian), Relating to environmental standards applicable to certain small counties and fines or other penalties for violations of the standards.

To Environmental Regulation.

HB 1417 (By Christian), Relating to requiring a state agency to notify a member of the legislature about certain expenditures that will affect the member's district.

To State Affairs.

HB 1418 (By Christian), Relating to notification of the state representatives and state senators of a proceeding to impose on a county with a population of less than 75,000 a penalty or fine for an alleged environmental violation.

To Environmental Regulation.

HB 1419 (By Christian), Relating to the creation, administration, powers, duties, operations, and financing of the Southeast Texas Groundwater Conservation District.

To Natural Resources.

HB 1420 (By Hardcastle), Relating to the use of a portion of medical school tuition for student loan repayment assistance for physicians.

To Higher Education.

HB 1421 (By J. Jones), Relating to the disqualification of a district judge in certain actions arising under the Election Code.

To Judicial Affairs.

HB 1422 (By J. Jones), Relating to a lost, stolen, or destroyed motor vehicle inspection certificate.

To Transportation.

HB 1423 (By Coleman), Relating to a pilot program for language interpreter services under the medical assistance program.

To Human Services.

HB 1424 (By Keel), Relating to requiring superintendents and general managers of institutions to report the deaths of certain individuals; providing a criminal penalty.

To Criminal Jurisprudence.

HB 1425 (By Keel), Relating to the prosecution of the offense of sexual assault committed against residents of certain facilities.

To Criminal Jurisprudence.

HB 1426 (By Keel), Relating to creating offenses for abandoning or endangering an elderly individual or disabled individual and for failing to provide certain care for a child, elderly individual, or disabled individual.

To Criminal Jurisprudence.

HB 1427 (By Keel), Relating to authorizing political subdivisions to trap, transport, and transplant certain white-tailed deer.

To State Cultural and Recreational Resources.

HB 1428 (By Keel), Relating to the prosecution of a criminal case in which a spousal relationship exists between the attorney representing the state and the attorney representing the defendant.

To Criminal Jurisprudence.

HB 1429 (By Keel), Relating to the investigation, prosecution, and punishment of identity theft and to the rights of victims of identity theft.

To Criminal Jurisprudence.

HB 1430 (By Keel), Relating to the forfeiture of contraband used in or derived from alleged criminal activity.

To Criminal Jurisprudence.

HB 1431 (By Keel), Relating to the eligibility of certain criminal defendants for release on appeal bond.

To Criminal Jurisprudence.

HB 1432 (By Dukes), Relating to the inspection of newly installed manufactured housing.

To Urban Affairs.

HB 1433 (By Chisum), Relating to the responsibilities of certain county officials for selection of a jury source.

To County Affairs.

HB 1434 (By Chavez), Relating to artifacts recovered from Native American burial sites.

To State Cultural and Recreational Resources.

HB 1435 (By Chavez), Relating to a motor vehicle liability insurance database.

To Insurance.

HB 1436 (By Hochberg), Relating to fees credited to the Texas emissions reduction plan fund.

To Environmental Regulation.

HB 1437 (By Eissler), Relating to the San Jacinto River Authority board of directors.

To Natural Resources.

HB 1438 (By Eissler), Relating to franchise tax credits for certain investments.

To Ways and Means.

HB 1439 (By Eissler), Relating to the application and enforcement of traffic regulations in private subdivisions in certain counties.

To Transportation.

HB 1440 (By Eissler), Relating to the frequency of public school teacher appraisals.

To Public Education.

HB 1441 (By Eissler), Relating to the penalty imposed on school districts for placing an excessive number of special education students in certain instructional arrangements.

To Public Education.

HB 1442 (By Goolsby), Relating to the imposition of a surcharge for use of a credit card.

To Financial Institutions.

HB 1443 (By Goolsby), Relating to the regulation of bail bond sureties; providing penalties.

To Criminal Jurisprudence.

HB 1444 (By Krusee), Relating to the exemption from ad valorem taxation of motor vehicles leased for noncommercial use.

To Local Government Ways and Means.

HB 1445 (By B. Brown), Relating to requiring insurers to give notice to insureds before certain insurance policy premium increases.

To Insurance.

HB 1446 (By B. Brown), Relating to the eligibility of certain children for certain health benefit coverage.

To Insurance.

HB 1447 (By Howard, Madden, et al.), Relating to the State Board of Education review of public school textbooks.

To Public Education.

HB 1448 (By Howard), Relating to State Board of Education rules concerning textbooks and to adoption of textbooks by the board.

To Public Education.

HB 1449 (By Howard), Relating to prohibiting discrimination in awarding state scholarships or other financial aid for higher education based on a person's high school attendance or achievement.

To Higher Education.

HB 1450 (By West), Relating to requiring a business entity that is awarded a state contract to notify the state about investments in businesses involved with obscenity.

To State Affairs.

HB 1451 (By Flores), Relating to the education benefits provided to eligible survivors of certain public servants killed in the line of duty.

To Appropriations.

HB 1452 (By Hilderbran), Relating to prohibiting a governmental entity from disclosing personal information relating to certain persons who hold a private pesticide applicator license.

To Agriculture and Livestock.

HB 1453 (By Eiland), Relating to the time for filing a report of the annual audit of school district dropout records.

To Public Education.

HB 1454 (By Eiland), Relating to powers of a property owners' association relating to restrictive covenants in certain subdivisions.

To Land and Resource Management.

HB 1455 (By Eiland), Relating to the landward boundary of the public beach when natural dune vegetation is planted and becomes established at a beach renourishment project.

To Land and Resource Management.

HB 1456 (By Eiland), Relating to the share of the cost of a coastal erosion study or project required to be paid by a qualified project partner under an agreement with the commissioner of the General Land Office.

To Land and Resource Management.

HB 1457 (By Eiland), Relating to the authorization of the imposition of a temporary prohibition on enforcement of the law governing access to public beaches following a meteorological event.

To Land and Resource Management.

HB 1458 (By Eiland), Relating to criminal obstruction of or retaliation against an honorably retired peace officer.

To Law Enforcement.

HB 1459 (By Eiland), Relating to hotel taxes in coastal municipalities with a population of 5000 or less.

To Local Government Ways and Means.

HB 1460 (By Eiland), Relating to the income method of appraisal of real property for ad valorem tax purposes.

To Local Government Ways and Means.

HB 1461 (By Eiland), Relating to mandatory paternity testing before a court may render an order for child support.

To Juvenile Justice and Family Issues.

HB 1462 (By Eiland), Relating to rate changes for insurance coverage written through the Texas Windstorm Insurance Association.

To Insurance.

HB 1463 (By Eiland), Relating to underwriting and rating guidelines for medical professional liability insurance.

To Insurance.

HB 1464 (By Grusendorf), Relating to the authority of a public school teacher over student grades.

To Public Education.

HB 1465 (By Hartnett), Relating to an administrative hearing for unclaimed property decisions.

To Business and Industry.

HB 1466 (By Hartnett), Relating to the adjustment of bail bonds in certain criminal cases.

To Criminal Jurisprudence.

HB 1467 (By Hartnett), Relating to the release of bond obligations by bail bond sureties; providing criminal penalties.

To Criminal Jurisprudence.

HB 1468 (By Hartnett), Relating to certain prohibitions against operating video sweepstakes in this state.

To Business and Industry.

HB 1469 (By Hartnett), Relating to privileged communications in a proceeding regarding the abuse or neglect of a child.

To Civil Practices.

HB 1470 (By Hartnett), Relating to guardianships of incapacitated persons; providing a criminal penalty.

To Judicial Affairs.

HB 1471 (By Hartnett), Relating to the duties and removal of a trustee.

To Judicial Affairs.

HB 1472 (By Hartnett), Relating to the exercise of powers of appointment.

To Judicial Affairs.

HB 1473 (By Hartnett), Relating to probate matters.
To Judicial Affairs.

HB 1474 (By Hodge), Relating to awards of administrative good conduct time and the advancement of parole eligibility dates for certain inmates of the Texas Department of Criminal Justice.
To Corrections.

HB 1475 (By Hartnett), Relating to the enforcement of an agreement between spouses to convert separate property to community property.
To Judicial Affairs.

HB 1476 (By Truitt), Relating to the election of certain unopposed candidates.
To Elections.

HB 1477 (By Truitt), Relating to write-in votes for the office of precinct chair.
To Elections.

HB 1478 (By King), Relating to the creation of an additional judicial district in Parker County.
To Judicial Affairs.

HB 1479 (By King), Relating to exempting school districts rated exemplary or recognized from certain laws and rules.
To Public Education.

HB 1480 (By Allen), Relating to the efficient administration of the Texas Department of Criminal Justice.
To Corrections.

HB 1481 (By Allen), Relating to the creation of a subaccount for fees collected under Titles IV and V of the Clean Air Act.
To Environmental Regulation.

HB 1482 (By Allen), Relating to the authority of a judge to reduce or terminate the community supervision of a defendant convicted of an offense punishable as a state jail felony.
To Criminal Jurisprudence.

HB 1483 (By Allen), Relating to regulation of licensed vocational nurses by the Board of Nurse Examiners and the abolition of the Board of Vocational Nurse Examiners.
To Public Health.

HB 1484 (By Burnam), Relating to the unlawful transfer of certain weapons.
To Criminal Jurisprudence.

HB 1485 (By Burnam), Relating to underwriting guidelines for residential property insurance.
To Insurance.

HB 1486 (By Burnam), Relating to the imposition of a tax on the purchase of coal in this state; providing penalties.

To Ways and Means.

HB 1487 (By Driver), Relating to the licensing and regulation of certain electricians; providing a penalty.

To Licensing and Administrative Procedures.

HB 1488 (By Martinez Fischer), Relating to the records and seal of a notary public.

To Judicial Affairs.

HB 1489 (By Naishtat), Relating to a consumer assistance program for health benefit plan consumers.

To Insurance.

HB 1490 (By Naishtat), Relating to the development and implementation of a statewide suicide prevention plan under the direction of the Health and Human Services Commission.

To Public Health.

HB 1491 (By Naishtat), Relating to utilization review and independent review of certain health care services.

To Insurance.

HB 1492 (By Naishtat), Relating to the regulation of social workers; providing a criminal penalty.

To Human Services.

HB 1493 (By Solomons), Relating to authorizing a mortgage servicer to conduct a foreclosure sale on behalf of a mortgagee.

To Financial Institutions.

HB 1494 (By Solomons), Relating to loss damage waivers and payment of certain charges and fees in certain rental-purchase agreements.

To Insurance.

HB 1495 (By Solomons), Relating to the registration of homebuilders.

To Regulated Industries.

HB 1496 (By Solomons), Relating to reduction in benefit fraud and claim overpayments in unemployment compensation.

To Economic Development.

HB 1497 (By Dutton), Relating to the requirements of a petition to adopt an adult.

To Juvenile Justice and Family Issues.

HB 1498 (By Rodriguez), Relating to disclosure of the individual vote of each member of the supreme court on a petition for review or application for writ of error.

To Judicial Affairs.

HB 1499 (By Dukes), Relating to the view of the state capitol.

To State Affairs.

HB 1606 (By Wolens), Relating to ethics of public servants, including the functions and duties of the Texas Ethics Commission; the regulation of political contributions, political advertising, lobbying, and conduct of public servants; and the reporting of political contributions and personal financial information; providing civil and criminal penalties.

To Ethics, Select.

HB 1698 (By Madden), Relating to public school employee participation in professional organizations and assignment, transfer, or pledge of compensation.

To Public Education.

HCR 73 (By Griggs), Directing the Texas Education Agency and the State Board of Education to adopt and promote a virtues education program.

To Public Education.

HCR 74 (By Burnam), Respectfully urging the Congress of the United States to enact legislation to adopt the Universal Living Wage so as to help the homeless get off the streets and enable working citizens to obtain safe, decent, and affordable housing.

To State Affairs.

HJR 57 (By Elkins and Goodman), Proposing a constitutional amendment to require an annual adjustment of the amount of the residence homestead exemption from ad valorem taxation for public school purposes for persons 70 years of age or older to correspond to the average market value of a single-family residence in this state.

To Local Government Ways and Means.

HJR 58 (By Eissler), Proposing a constitutional amendment to allow current and retired college professors to receive compensation for serving on the governing bodies of school districts, cities, towns, or other local governmental districts, including water districts.

To State Affairs.

HJR 59 (By Uresti), Proposing a constitutional amendment authorizing the legislature to permit a person to assume an office of a political subdivision without an election if the person is the only candidate to qualify in an election for that office.

To Elections.

HJR 60 (By McClendon), Proposing a constitutional amendment to prohibit increases in ad valorem taxes imposed by a political subdivision on the residence homestead of an elderly person or the person's surviving spouse.

To Local Government Ways and Means.

HJR 61 (By McReynolds), Proposing a constitutional amendment authorizing municipalities to donate surplus fire-fighting equipment or supplies for the benefit of rural volunteer fire departments.

To Urban Affairs.

HJR 62 (By Truitt), Proposing a constitutional amendment authorizing the legislature to permit a person to take office without an election if the person is the only candidate to qualify in an election for that office.

To Elections.

HJR 63 (By E. Jones, Dutton, Krusee, Crownover, et al.), Proposing a constitutional amendment providing for appointment to fill vacancies in certain judicial offices and for nonpartisan retention elections for those offices.

To Judicial Affairs.

HJR 64 (By Farabee), Proposing a constitutional amendment to include a constitutional county judge on the membership of State Commission on Judicial Conduct.

To Judicial Affairs.

HJR 65 (By R. Cook), Proposing a constitutional amendment to authorize the ad valorem taxation of certain property owned by a municipality.

To Local Government Ways and Means.

HR 367 (By Puente), Recognizing the importance of protecting the Lone Star State's water resources.

To Natural Resources.

SB 43 to Public Health.

SB 74 to Human Services.

SB 121 to State Affairs.

SB 164 to Judicial Affairs.

SB 191 to Criminal Jurisprudence.

SB 330 to Public Health.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

HB 155 (By West, Peña, Casteel, McCall, and Crabb), Relating to prohibiting a sex offender from owning or serving in certain capacities on behalf of a sexually oriented business; creating an offense and providing a penalty.

To Law Enforcement.

HB 181 (By Farrar), Relating to the disclosure of certain criminal history record information related to an individual placed on deferred adjudication community supervision.

To Law Enforcement.

HB 226 (By T. Smith), Relating to the authority of the Department of Public Safety and certain local law enforcement agencies to establish a checkpoint on a highway or street to determine whether persons are driving while intoxicated.

To Law Enforcement.

HB 244 (By Allen), Relating to the publication of information regarding certain registered sex offenders.

To Law Enforcement.

HB 270 (By Naishtat), Relating to the collection, analysis, and dissemination of information relating to certain sexual offenses.

To Law Enforcement.

HB 292 (By Reyna), Relating to the taking of a specimen of a person's breath or blood in connection with certain alcohol-related offenses.

To Law Enforcement.

HB 476 (By Farrar, Noriega, and J. Moreno), Relating to requiring as a condition of release on parole, mandatory supervision, or community supervision that sex offenders not reside in proximity with other sex offenders.

To Law Enforcement.

HB 497 (By Phillips and Paxton), Relating to procedural and registration requirements for certain sex offenders who seek to change their names.

To Law Enforcement.

HB 517 (By J. Jones), Relating to the fee for reinstatement or issuance of a driver's license following a license suspension or denial for failure to pass a test for intoxication.

To Law Enforcement.

HB 670 (By Phillips and Paxton), Relating to the use of pseudonyms for victims of certain criminal offenses connected to the commission of a sex offense.

To Law Enforcement.

HB 819 (By Isett), Relating to the prosecution of the offense of unlawfully carrying a handgun, illegal knife, or club.

To Law Enforcement.

HB 914 (By Ritter), Relating to the taking of a specimen of a person's breath or blood in connection with certain alcohol-related offenses.

To Law Enforcement.

HB 1141 (By Riddle), Relating to the persons authorized to draw a blood specimen from a vehicle operator to test for alcohol concentration or other intoxicating substances.

To Law Enforcement.

HB 1257 (By Allen), Relating to laws regulating the carrying of weapons and the places where weapons are prohibited and to the organization of those laws in the statutes.

To Law Enforcement.

HB 1392 (By Hamric), Relating to the punishment of the offense of trespassing and to requiring certain defendants convicted of that offense to register as sex offenders.

To Law Enforcement.

List No. 2

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

HB 406 (By Miller), Relating to proceeds received by a person accused or convicted of a crime from publicizing the crime.

To Law Enforcement.

HB 481 (By Wilson), Relating to racial profiling by airport security personnel; imposing a criminal penalty.

To Law Enforcement.

HB 778 (By Naishtat), Relating to the offense of interference with an emergency telephone call.

To Law Enforcement.

HB 1032 (By Driver), Relating to expiration of a driving instruction permit.

To Law Enforcement.

HB 1034 (By Driver), Relating to the authority of a judge or justice to defer the proceedings in certain criminal cases involving the operation of a motor vehicle by the holder of a commercial driver's license.

To Law Enforcement.

HB 1290 (By Swinford), Relating to the offense of interference with an emergency telephone call.

To Law Enforcement.

MESSAGE FROM THE SENATE

The following message from the senate was today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, March 5, 2003

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 60 Pitts SPONSOR: Averitt
Recognizing March 4, 2003, as Ellis County Day at the State Capitol.

HCR 98 Nixon SPONSOR: Ellis, Rodney

Congratulating Tony Hills, Jr., of Alief Elsik High School on his athletic achievements.

SB 15 Madla

Relating to the use of appropriations in the Smart Jobs Fund as business location incentives; making an appropriation.

SB 200

Shapiro

Relating to authorizing hospital districts located in counties having a population of two million or more to pledge hospital system revenues and tax revenues to the payment of combination tax and revenue bonds and other obligations if the pledge is approved at an election, and related matters.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

March 4

Judicial Affairs - **HB 296, HB 338, HB 501**

Natural Resources - **HB 535, HB 917**

Pensions and Investments - **HCR 17**

ENROLLED

March 4 - HCR 67

SENT TO THE GOVERNOR

March 4 - HCR 65

SENT TO THE SECRETARY OF THE STATE

March 4 - HCR 66

SIGNED BY THE GOVERNOR

March 4 - HCR 18, HCR 25, HCR 45, HCR 62, HCR 63